



Livestock and Seed Program Audit, Review, and Compliance Branch Quality System Audit Report

Applicant: Texas Department of Agriculture (TDA)
Program : National Organic Program/Accreditation for Organic Certification
Organizations- Annual Update
Location(s): Austin, TX
Audit Date(s): November 25, 2003 - January 7, 2004
Audit File Number: NP3329BA
Action Required: Yes
Auditor(s): Martin Friesenhahn
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AUDIT ACTIVITIES

On November 25, 2003 - January 7, 2004, a representative of the USDA, AMS, LS Audit, Review, and Compliance (ARC) Branch conducted a review of annual update documents submitted by the Texas Department of Agriculture (TDA) Organic Certification Program, Austin, TX, to verify continued compliance to the USDA, AMS 7 CFR Part 205, National Organic Program (NOP). The audit documentation is on record for review (**NP3329BA NC Audit Documentation**).

The following information was provided for the review:

- Completed ARC 1025C Checklist
- Revised contact list
- Updated Organic Program Personnel list (4/29/03)
- Organic Certification Program Client List (Updated 5/9/03)
- Certification documents: 3 crop, 2 livestock (in process), and 3 handler
- Personnel evaluations
- Revised forms, applications, procedures, and inspection reports
- Revised Statute (Draft)

FINDINGS

The files and information submitted by TDA for the annual update complied with NOP requirements except as noted in the non-compliances. Upon contacting the TDA Program Coordinator it was found that the Bill (Statute) was approved by the Texas Legislature to adopt rules (standards) that were consistent with the NOP Standards. The rule (effective 12/14/03) was found to be posted on the TDA website and was consistent with the NOP Standards. The NOP Standards (verbatim) were also provided as a link on the TDA website. Three continuous improvement point (CIP) non-compliances were identified during the review.

Non-compliances

NP3329BA.NC1-CIP-205.504 (c)(2)- Evidence of expertise and ability- Conflicts of interests- conflict of interest disclosure reports- For all persons who review applications for certification, perform on-site inspections, review certification documents, evaluate qualifications for certification, make recommendations concerning certification, or make certification decisions.....a conflict of interest disclosure report..... *The Conflict of Interest Reports were only submitted for new employees to the*

organic program and some of these had not been updated annually (were before 4/02). In addition, the conflict of interest reports were not submitted for previous organic program employees

NP3329BA.NC2-CIP-205.504(d)(2)- Evidence of expertise and ability- Current certification activities- Copies of at least 3 different inspection reports and certification evaluation documents..... *The inspection reports and certification evaluation documents referred to the TDA Organic Standards instead of the NOP Standards.*

NP3329BA.NC3-CIP-205.510(a)(4)- Annual report, recordkeeping, and renewal of accreditation- The results of the most recent annual program review and a description of adjustments to the certifying agent's operation and procedures..... *A written program review was not submitted with the update. The update stated that an ongoing program review was conducted throughout the year in conjunction with the development of the agency's comprehensive data management system. However, some program changes were submitted with the update.*

RECOMMENDATIONS

I recommend that TDA's accreditation be continued with surveillance by appropriate members of the USDA with the condition that the non-compliances are addressed by the TDA in a timeframe specified by the NOP. The initial on-site audit of the TDA Organic Certification Program should be conducted in the next several months for verification of compliance to the NOP Rule and that the clients of TDA are being provided with the NOP Standards.